REMARKS

A petition to extend the time for response by two (2) months is enclosed herewith.

Claim 13 has been amended. Claims 8 - 27 are currently pending in the present application.

In the Office Action, the specification is objected to. Additionally, in the Office Action, claims 18 – 15 and 17 - 27 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Furthermore, in the Office Action, claims 8 - 16 are rejected under 35 U.S.C. §112, first paragraph, as failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Moreover, in the Office Action, claims 8, 10 - 14, 16 – 20, and 22 - 26 are rejected under 35 U.S.C. §102(b) as being anticipated by Poe US Patent No. 4,114,509. Also, in the Office Action, claims 9 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Poe US Patent No. 4,114,509, and further in view of Funaki US Patent No. 4,423,608 and Hoyle et al US Patent No. 5,129,768. Additionally, in the Office Action, claims 15 and 27 are rejected under 35 U.S.C. §103(a) as being unpatentable over Poe US Patent No. 4,114,509 as applied to claim 11, and further in view of Wollar et al US Patent No. 4,610,587.

With respect to the objection to the specification, the Office Action asserts that several terms in the claims do not have proper antecedent basis in accordance with 37 CFR 1.75(d)(1) and MPEP §608.01(o). It is respectfully submitted that the noted terms in the claim do, in fact, have proper antecedent basis in accordance with 37 CFR 1.75(d)(1) and MPEP §608.01(o) and attention is hereby drawn to the respective bases for each of these terms, in connection with which it is noted that Applicants are entitled to be their own lexicographers. The term "head portion" finds a basis in the disclosure of the upper end of the

holding pin 7 set forth in the present application and illustrated in Figures 1- 4. The term "foot portion" finds a basis in the disclosure of the portion of the holding pin 7 having the shanks 8 and 9 set forth in the present application and illustrated in Figures 3 and 4. The term "fully fitted position" finds a basis in the disclosure of the installed position of the holding pin 7 and the assembled state of the holding pin 7 set forth in the present application and illustrated in Figures 1 and 4.

The term "axial spacing" finds a basis in the disclosure of a work surface panel attached to the cabinet-shaped body of a household appliance set forth in the present application and illustrated in Figures 1 and 4. The term "nominal transverse extent" finds a basis in the disclosure that the shank parts 8, 9 can be deflected towards one another during insertion of the holding pin 7 into the elongated hole 5 and into the attachment hole 6, which description makes clear that the shank parts 8, 9 of the holding pin 7 have a non-deflected configuration (before insertion) that Applicants have elected to denominate as the "nominal transverse extent" of the holding pin 7. The term "axial extent" and the term "transverse extent" each are inherently disclosed in view of the above-noted disclosure of the term "axial spacing" and the term "nominal transverse extent", respectively. The term "first seating extent" finds a basis in the disclosure of the flat surfaces 13 of the holding pin 7 having approximately the unobstructed width of the elongated holes 5 of the surround 4 that is received on the flat surfaces 13 set forth in the present application and illustrated in Figures 3 and 4. The term "axial thickness" is inherently disclosed in view of the above-noted disclosure of the term "axial spacing." The term "shoulder" finds a basis in the disclosure of the undercut forming the slotted-link surfaces 13 of the holding pin 7, whereby the slotted-link surfaces 13 of the holding pin 7 are approximately the unobstructed width of the elongated holes 5 of the surround 4 set forth in the

present application and illustrated in Figures 3 and 4. Accordingly, it is respectfully requested that the objection to the specification be withdrawn.

With respect to the rejection of claims 18 – 15 and 17 - 27 under 35 U.S.C. §112, first paragraph, the Office Action notes that claims 8 and 19 each recite that "the foot portion of the holding pin has a nominal transverse extent ... at least as large as the largest transverse extent of the aperture of the second structure" and "the foot portion of the holding pin has, in the fully fitted position of the holding pin, a smaller transverse extent than its nominal transverse extent" and the Office Action asserts that these limitations are unsupported by the specification, which, according to the Office Action, states that shanks 8, 9 (considered to correspond to the claimed "foot portion") must be forced apart from one another if they are to engage attachment hole 6. In fact, it is pointed out that the specification discloses, in Page 10, lines 11 - 14, that the shank parts 8, 9 can be deflected towards one another during insertion of the holding pin 7 into the elongated hole 5 and into the attachment hole 6 and it is noted that this deflection of shanks 8, 9 toward one another during insertion is met with the biasing action of the shanks 8, 9 toward their (greater spaced) non-deflected positions, whereupon this biasing force of shanks 8, 9 results in a friction fit of the holding pin 7 in the attachment hole 6. The disclosure on Page 11, lines 12 – 23, that shanks 8, 9 (considered to correspond to the claimed "foot portion") must be forced apart from one another if they are to engage attachment hole 6 is, in fact, a description of the reinforced friction fit that is achieved according to the aspect of the present invention in the event that screws 16 are provided to force the shank parts 8, 9 apart from one another. This aspect involving the screws 16 reinforces the friction fit that, as noted above, inherently occurs due to the biasing action of the shanks 8, 9 toward their (greater spaced) non-deflected positions.

With regard to the observation in the Office Action that claim 13 recites that "the foot portion of the holding pin has a constant transverse extent", this

observation is well taken and Applicants have amended claim 13 to clarify, in accordance with the Examiner's helpful suggestion, that "the foot portion of the holding pin has a constant nominal transverse extent".

With respect to the rejection of claims 8 - 16 under 35 U.S.C. §112, second paragraph, it is respectfully pointed out that the term "the first structure" finds a basis in the disclosure of the work surface panel set forth in the present application and illustrated in Figures 1 and 4 and the term "the second structure". finds a basis in the disclosure of the cabinet-shaped body of a household appliance set forth in the present application and illustrated in Figures 1 and 4. Additionally, Applicants note that the claims of the present application are directed toward a subcombination of an attachment device, whereupon "the first structure" and "the second structure" of a household appliance are recited in the claims merely as an intended use.

With respect to the prior art rejections of claims 8 - 27, favorable reconsideration is respectfully requested in view of the amendment of claim 13 and the following comments.

The present invention is directed to overcoming the problems that arise in reliably securing a structure such as a work surface panel for a household appliance to another structure of the household appliance such as a cabinet shaped body. A solution for providing such a reliable securement would also preferably permit lateral adjustment of the one structure relative to the other structure. The present invention provide an attachment apparatus for attaching a first structure to a second structure of a household appliance that offers reliable securement of the two structures to one another and, furthermore, permits lateral adjustment of the one structure relative to the other structure. Each of independent claims 8, 16, and 19 of the present application recites an attachment arrangement and, taking the attachment apparatus recited in claim 8 as an example, it is noted that independent claim 8 of the present application

recites an attachment apparatus for attaching a first structure to a second structure of a household appliance. The inventive attachment apparatus, as recited in independent claim 8 of the present application, includes a holding pin, the holding pin having a head portion and a foot portion. The holding pin is disposable, during an installation operation, into a fully fitted position in which the holding pin extends through an aperture in the first structure and through an aperture in the second structure along an attachment axis passing through the apertures of the first structure and the second structure. As further recited in independent claim 8 of the present application, the head portion of the holding pin, in the fully fitted position of the holding pin, is located on one axial side of the first structure and the foot portion, in the fully fitted position of the holding pin, extends into the aperture of the second structure.

Continuing with the recitation of independent claim 8 of the present application, the holding pin engages the first structure and the second structure to maintain the first structure at an axial spacing from the second structure in the region of the apertures of the first and second structures. Also, the foot portion of the holding pin has a nominal transverse extent that is transverse to the axial extent of the holding pin and at least as large as the largest transverse extent of the aperture of the second structure and the foot portion of the holding pin has, in the fully fitted position of the holding pin, a smaller transverse extent than its nominal transverse extent. The foot portion of the holding pin exerts a radially outward force against the aperture of the second structure to thereby resist dislodgement of the holding pin from the aperture of the second structure in the fully fitted position of the holding pin.

Continuing further with the recitation of independent claim 8 of the present application, the head portion of the holding pin has a transverse extent transverse to the axial extent of the holding pin that is larger than a transverse extent of the aperture of the first structure. Moreover, the holding pin further

includes a first seating extent that is at a location axially intermediate the head portion of the holding pin and the foot portion of the holding pin and that has a transverse extent less than the transverse extent of the foot portion of the holding pin. The recited first seating extent extends axially from the head portion of the holding pin to the foot portion of the holding pin in an axial extent that is at least equal to an axial thickness of the first structure as measured at the aperture of the first structure. In the fully fitted position of the holding pin, the first seating extent is axially coincident with the first structure at the first aperture and the head portion of the holding pin and the foot portion of the holding pin are disposed on opposite axial sides of the first structure with the head portion of the holding pin and the foot portion of the holding pin each resisting a respective axial movement of the first structure therepast, wherein the holding pin limits axial movement of the second structure relative to the first structure in the fully fitted position of the holding pin.

It is respectfully submitted that independent claims 8, 16, and 19 of the present application and their respective dependent claims patentably define over the prior art of record.

In the Office Action, each of independent claims 8, 16, and 19 of the present application and various ones of their independent claims are rejected under 35 U.S.C. §102(b) as being anticipated by Poe US Patent No. 4,114,509. However, it is respectfully submitted that Poe US Patent No. 4,114,509 neither teaches nor discloses the attachment arrangements claims in claims 8 – 27 of the present application. United States Patent No. 4,114,509 to Poe discloses an expansible grommet 1 and an expander plunger 2. The expansible grommet 1 is provided with a bore 3 and is provided at one end with an external flange 4. Adjacent the flange is formed an external channel 5. Extending axially with respect to the channel 5 is a set of four fingers 6 separated by axially extending slots 7. One of the uses of a fastener of this type is to removably secure two

panels 22 and 23 together as shown in FIG. 3. If it is desired that the fastener be permanently secured to panel 22, this panel is provided with a perforation 24 which is slightly smaller than the diameter of the fingers 6. To support the grommet, the plunger is inserted partway, as indicated by dotted lines in FIG. 1. The grommet is then positioned over a perforation 24 and axial force is applied by the plunger 2 causing the fingers to restrict sufficiently for the fingers to pass through the panels 22 as shown in FIG. 2. However, if the plunger is carelessly manipulated or the grommet is not properly aligned with the perforation, the expander head 13 of the plunger may snap passed the constriction or retainer flange 8 and engage the beveled inner edge 10 of the constriction 9 causing the fingers to expand in the manner indicated in FIG. 3 so that the plunger and grommet are interlocked without the fingers entering the perforation 24.

Poe US Patent No. 4,114,509 under 35 U.S.C. §102(b) clearly does not teach or disclose an attachment arrangement such as that of the present invention in which in which a foot portion of the holding pin has a nominal transverse extent that is transverse to the axial extent of the holding pin and at least as large as the largest transverse extent of the aperture of the second structure with the foot portion of the holding pin having, in a fully fitted position of the holding pin, a smaller transverse extent than its nominal transverse extent. This attachment arrangement, as representatively set forth in claim 8 of the present application, results in the foot portion of the holding pin exerting a radially outward force against the aperture of the second structure to thereby resist dislodgement of the holding pin from the aperture of the second structure in the fully fitted position of the holding pin. Poe US Patent No. 4,114,509 instead relies on its friction ring 15 that must be forced into the bore 3 to effect locking together of the two panels 22, 23.

Additionally, it is submitted that Poe US Patent No. 4,114,509 clearly does not teach or disclose an attachment arrangement such as that of the present

invention having the feature, as recited, for example, in claim 17, that the aperture in the first structure is an elongated hole and the first seating extent is compatibly configured with respect to the elongated hole of the aperture of the first structure such that rotation of the holding pin about its axis is resisted by resistance of the elongated hole of the aperture of the first structure to rotational movement of the first seating extent. Poe US Patent No. 4,114,509 instead merely appears to disclose a bore 3 in its "first structure" and provides no hint of the desirability or need to provide an attachment arrangement in which a rotation of the fastener about its axis is resisted in any manner, let alone resisted in the manner recited in claim 17 of the present application wherein rotation of the holding pin about its axis is resisted by resistance of the elongated hole of the aperture of the first structure to rotational movement of the first seating extent.

United States Patent No. 4,610,587 to Wollar et al teaches five embodiments of a fastener device 10, 110, 210, 310, and 410. Each fastener device has a hollow expandable body member 20, including a body shank 24, a body head 26, and a plurality of legs 28, that is insertable into aligned panel apertures 12 and 14. The legs 28 are separated by an axially extending slot 30. Each fastener device also includes a cylindrical bore 34 extending axially through the body head 26, the body shank 24, and between the legs 28. The diameter of the body member 20 is smaller than the diameter of the aligned apertures 12 and 14. However, it is clear that United States Patent No. 4,610,587 to Wollar et al does not teach or disclose a holding pin having the features recited in claim 8 of the present application including, for example, a first seating extent that, in a fully fitted position of the holding pin, is axially coincident with a structure at a first aperture and a head portion of the holding pin and a foot portion of the holding pin disposed on opposite axial sides of the structure with the head portion of the holding pin and the foot portion of the holding pin each resisting a respective axial movement of the structure therepast, wherein the holding pin limits axial

movement of a second structure relative to a first structure in the fully fitted position of the holding pin.

United States Patent No. 5,129,768 to Hoyle et al teaches a sliding grommet 10 for mounting in an elongated hole 32, the grommet 10 including a head flange 12, a shank portion 21, a pair of Y-shaped members 40, and a reinforcing rib 48. The shank portion 21 includes a flared out upper section 26 (see sloping bore 36) and a cylindrical lower portion 29. The upper section 26 includes shoulders 30 for engaging the upper and lower edges of an elongated hole 32. As seen in Figure 7 of United States Patent No. 5,129,768 to Hoyle et al, a mating panel 52 is retained between the head of a screw 56 and a head flange 12 of the sliding grommet 10 and, additionally, another panel 34 is retained between the head flange 12 of the sliding grommet 10 and legs 40a, 40b, of the sliding grommet 10. However, United States Patent No. 5,129,768 to Hoyle et al does not teach or disclose a holding pin having the features recited in claim 8 of the present application including, for example, a foot portion of a holding pin that exerts a radially outward force against an aperture of a second structure to thereby resist dislodgement of the holding pin from the aperture of the structure.

United States Patent No. 4,726,722 to Wollar teaches a two-piece reusable plastic fastener 10 including a hollow body 12 having a body head 24, a body shank 26, and a bore 32. The body shank 26 includes three shank portions 28, 30, and 31. Body shank portion 28 also includes locking tabs 54, projections 56, and free ends 58. Body shank portion 28 has a diameter that is larger than a diameter of body shank portion 30. Body shank portion 31 extends from body shank portion 30 into a point 34. In use, body 12 is inserted into a hole 20 of a panel 16 such that shank portion 28 enters hole 20. However, United States Patent No. 4,726,722 to Wollar does not teach or disclose a holding pin having the features recited in claim 8 of the present application including, for example, a

foot portion of a holding pin that exerts a radially outward force against an aperture of a second structure to thereby resist dislodgement of the holding pin from the aperture of the structure.

For these and other reasons, it is submitted that neither United States Patent No. 4,610,587 to Wollar et al nor United States Patent No. 5,129,768 to Hoyle et al, either alone or in combination with each other or with United States Patent No. 4,114,509 to Poe, teach or suggest the subject matter defined by claims 8 – 27 of the present application.

CONCLUSION

In view of the above, entry of the present Amendment and allowance of claims 8- 27 are respectfully requested. If the Examiner has any questions regarding this amendment, the Examiner is requested to contact the undersigned. If an extension of time for this paper is required, petition for extension is herewith made.

Respectfully submitted

James E. Howard
Registration No. 39,715
April 16, 2009

BSH Home Appliances Corporation
100 Bosch Blvd.
New Bern, NC 28562
Phone: 252-639-7644
Fax: 714-845-2807
james.howard@bshg.com